

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:10CR3100
)	
v.)	
)	MEMORANDUM
HELIODORO GOMEZ VALDEZ,)	AND ORDER
)	
Defendant.)	
_____)	

Prior to the selection of the jury, but during the arraignment of the defendant regarding the Information respecting prior felonies, the defendant became unresponsive. The building nurse and the Lincoln Fire Department paramedics were called and the defendant was taken to the hospital. The Lincoln paramedics informed me that the defendant was suffering a possible cardiac event and given the defendant's prior and extensive medical history, trial of the matter was canceled. Both counsel were consulted and all agreed with a continuance. A mistrial was not technically required because there was no voir dire and the jury had not been impaneled. Accordingly,

IT IS ORDERED that:

- (1) This matter is referred to Magistrate Judge Zwart for further progression.
- (2) The time between today's date and the trial date set by Judge Zwart is excluded from computation under the Speedy Trial Act in the interest of justice. See 18 U.S.C. § 3161.

DATED this 28th day of November, 2011.

BY THE COURT:

Richard G. Kopf
United States District Judge